

DETAILED ACTION

Election/Restrictions

Applicant's election of Group II in the reply filed on 9/9/2008 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Information Disclosure Statement

The information disclosure statement filed 7/25/2006 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant claims treating an exhaust gas “containing a hydride and/or halide of an element belonging to group IIIb, group IVb, or group Vb.” However, the specification lists that examples of such elements include boron, aluminum, gallium, indium, silicon, germanium, phosphorus, and arsenic which are members of group IIIa, IVa, and Va. See instant page 10. Also examples of acceptable reactions include silicon hydride and phosphorus hydride. See instant page 11. The examples at the end of the specification also mention only group IIIa, IVa, and Va elements. See instant pages 22-25. Thus, it is believed that such a limitation is erroneous, and for examination purposes, the examiner will regard the limitation as including group IIIa, IVa, and Va elements.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by JP'520.

JP '520 teaches a catalyst formed by granulating calcium hydroxide and sintering the product (thus forming a porous calcium oxide comprising product in particulate form). The product is then subject to a steam containing gas so that the product contains 18.5% moisture (thus at least a portion of the surface of the calcium oxide particle would be converted to calcium hydroxide). The catalyst was then contacted with

an exhaust gas containing silane (a group IVa hydride). See Application Example 1 on page 5 of English translation of JP '520.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bulan '553, Rajoria '434, Laslo '999, Smith '702, Maurer '065, and Suggitt '376 all teach processes of purifying exhaust gasses using calcium hydroxide/oxide.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY J. ZIMMER whose telephone number is (571)270-3591. The examiner can normally be reached on Monday - Friday 7:30 AM - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman can be reached on 571-272-1358. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ajz

/Steven Bos/
Primary Examiner, Art Unit 1793